

JOURNAL OF THE SENATE

Monday, May 8, 1933

The Senate convened at 4:00 o'clock P. M. pursuant to adjournment on Friday, May 5, 1933.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr President; Senators Anderson, Andrews, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gillis, Gomez, Hale, Harrison, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Rose, Shelley, Shivers, Sikes, Turner, Watson, Whitaker—35.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Friday, May 5, was corrected as follows:

On page 20, column 1, line 43, between the word "line" and the word "after", insert the figure "3".

On page 20, column 1, line 43, strike out the word "Banks" and insert in lieu thereof the word "Bonds".

On page 21, column 1, line 50, between the word "River" and the word "Hillsborough" insert "to".

On page 21, column 1, line 56, strike out "Cunty" and insert in lieu thereof "County".

On page 21, column 2, strike out lines 69 to 75, both inclusive, and insert in lieu thereof the following:

A bill to be entitled An Act to abolish the Board of Commissioners of St. Lucie Inlet District and Port Authority and offices of Treasurer and Secretary as created and defined by Chapter 13808, Laws of Florida, 1929, and Amendatory Act thereof enacted by the Florida Legislature, 1931; to provide that all functions, duties and powers as provided in Chapter 13808 and the Amendatory Act thereof, are hereby vested in a new board to be made up ex-officio of the five County Commissioners of Martin County, Florida, and the chairman and one member of the Board of County Commissioners of St. Lucie County, to be by the latter designated; providing that the Clerk of the Circuit Court of Martin County, Florida, shall act as Secretary and Treasurer of said District; to repeal and remove the authorization for the tax levy for maintenance, repair or construction or for the payment of expenses in carrying on or transacting the business of said District, and to repeal the tax levy for police, fire, sanitary and publicity purposes; providing that all properties and assets, as well as the books and records of said District, together with a written report setting forth the financial affairs and status of said District shall be delivered to the new board created hereunder, within thirty days after such Act becomes a law; and providing regulations incidental to the purpose and intent of this Act.

Same being correction to the title of Committee Substitute for House Bill No. 806.

And as corrected was approved.

REPORTS OF COMMITTEE

Senator Holland, Chairman of the Committee on Judiciary "B", submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 5, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Judiciary "B", to whom was referred:

Senate Bill No. 365:

A bill to be entitled An Act providing that in mandamus actions brought in the name of the State upon the relation of any party, such party shall be liable for costs, losses, damages and expenses in case he shall not prevail and shall give bond satisfactory to the court conditioned to pay such costs, losses, damages and expenses before the court can be required to issue the writ.

Have had the same under consideration and recommend that same be substituted by the following entitled bill:

Committee Substitute for Senate Bill No. 365:

A bill to be entitled An Act providing that in mandamus actions brought in the name of the State upon the relation of any party, to enforce the payment or to require a tax levy for payment of any bond or bonds, interest coupons or coupons or other like obligations of any county, municipality, or other governmental subdivisions of this State, such party shall be liable for costs, losses, damages and expenses in case he shall not prevail and shall give security satisfactory to the court conditioned to pay such costs, losses, damages and expenses before the court can be required to issue the writ.

And further recommend that said Committee Substitute Bill for Senate Bill No. 365 do pass.

Very respectfully,

S. L. HOLLAND,

Chairman of Committee.

And Senate Bill No. 365 and Committee Substitute for Senate Bill No. 365, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Holland, Chairman of the Committee on Judiciary "B", submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 5, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Judiciary "B", to whom was referred:

Senate Bill No. 169:

A bill to be entitled An Act to provide for the filing and custody of bonds or other written obligations issued by any taxing district in the State of Florida, upon which an assumpsit or mandamus suit is brought.

Have had the same under consideration and recommend that same be substituted by the following bill:

Committee Substitute for Senate Bill No. 169:

A bill to be entitled An Act to provide for the filing and custody or production and presentation of bonds or other written obligations issued by any taxing district in the State of Florida, upon which an Assumpsit, Covenant or Mandamus suit is brought.

And further recommend that said Committee Substitute Bill for Senate Bill No. 169 do pass.

Very respectfully,

S. L. HOLLAND,

Chairman of Committee.

And Senate Bill No. 169 with Committee Substitute Bill for Senate Bill No. 169, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Mann, Chairman of the Committee on Insurance, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 8, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Insurance, to whom was referred:

Senate Bill No. 191:

A bill to be entitled An Act to amend Section 4340, of the Revised General Statutes of Florida of 1920, the same being Section 6303 of the Compiled General Laws of Florida, 1927, relating to final judgments against surety companies, and providing for the disposition of the securities deposited with the State Treasurer under Section 4339 of the Revised General Statutes of Florida of 1920, in event of insolvency of said companies.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

J. M. MANN,

Chairman of Committee.

And Senate Bill No. 191, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—
Senator MacWilliams, Chairman of the Committee on Claims, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 8, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Claims, to whom was referred:

Senate Bill No. 441:

A bill to be entitled An Act for the relief of T. A. Dekle, formerly Tax Collector of Washington County, Florida, releasing him and the sureties on his bond as such Tax Collector from liability for a certain deposit in the Bank of Chipley, Florida.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

W. A. Mac WILLIAMS,

Chairman of Committee.

And Senate Bill No. 441, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—
Senator MacWilliams, Chairman of the Committee on Claims, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 8, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Claims, to whom was referred:

Senate Bill No. 481:

A bill to be entitled An Act for the relief of H. F. Mohr as States Attorney of the Seventeenth Judicial Circuit of the State of Florida.

Have had the same under consideration, and recommend that the same do not pass.

Very respectfully,

W. A. Mac WILLIAMS,

Chairman of Committee.

And Senate Bill No. 481, contained in the above report, was placed on the table under the rule.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senator Turner, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 8, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendment) after third reading and passed as amended.

Senate Bill No. 336:

A bill to be entitled An Act to amend Chapter 14971, Laws of Florida in the Acts of 1931, entitled an Act to amend Chapters 13824 and 13826, Acts of 1929, as amending Chapter 12322, Laws of Florida, Acts of 1927, as amending Chapters 10136, 10279, 10269 and 10276, Acts of 1925, as amending Chapter 9310, Acts of 1923, Laws of Florida, being entitled: "An Act to declare, designate and establish certain State roads in the State of Florida, and to provide for the construction of such system of roads by the State Road Department; and authorizing and empowering the State Road Department to construct and maintain said road in such system." An Act to declare, designate and establish a State road in the State road system of Florida and to provide for the construction in such system of highways.

Amendment:

In Section 2, line 4, strike out the figure "2", and insert in lieu thereof the following: "1",

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

J. W. TURNER,

Chairman of Committee.

And Senate Bill No. 336, contained in the above report, as amended, was ordered to be certified to the House of Representatives.

Also—
Senator Turner, Chairman of the Committee on Engrossed Bills submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 8, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments), after 3rd reading House Amendment Concurred in.

Senate Bill No. 370:

A bill to be entitled An Act to permit the fishing and taking of fish from the waters of the Santa Fe, Suwannee and Itchtucknee Rivers, and their tributaries in Columbia County, Florida, by means of and with a spear, gig, or similar devices, in addition to the methods now provided and permitted by law, and repealing all laws or parts of laws in conflict therewith.

Amendment.

In Section 1, line 4, after the words "their tributaries" insert the following: "and all lakes."

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

J. W. TURNER,

Chairman of Committee.

And Senate Bill No. 370, contained in the above report, was referred to the Committee on Enrolled Bills.

REPORT OF ENROLLING COMMITTEE

Senator Anderson, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 8, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:

House Memorial No. 3:

A memorial to the Congress of the United States requesting passage of House Resolution No. 3083.

Have examined the same and find same correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

S. W. ANDERSON,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The Memorial contained in the above report was thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Also—

Senator Anderson, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 8, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:

Senate Bill No. 459:

A bill to be entitled An Act creating and incorporating the Ship Canal Authority of the State of Florida; prescribing

the capital of said Corporation; providing for the management of said Corporation and prescribing its general powers; authorizing said Corporation to acquire, operate and maintain a Ship Canal across the State of Florida; authorizing the purchase of property, equipment, services and supplies, and the performance of any and all acts necessary or convenient to the acquisition, construction and operation of said Canal and its appurtenances; providing that none of the General Revenues of the State shall be used for or pledged for such purpose; authorizing said Corporation to borrow money and to issue Revenue Bonds securing the repayment thereof; authorizing said Corporation to procure rights of way and other property by condemnation and otherwise; and giving said Corporation the right to take and use certain State lands for such purposes; authorizing counties to condemn or otherwise procure and to donate to said Corporation land, rights of way and other property needed or useful in the construction and operation of said Canal, and to levy taxes for such purposes; providing for the collection of tolls and the making of rules for the use of said Canal and creating a lien on watercraft for unpaid tolls; prescribing the disposition to be made of revenues derived by the Corporation from the operation of said Canal; granting to said Corporation the right to regulate and control the business of pilotage in said Canal; exempting the property of said Corporation from taxation; providing for annual and other reports to be made to the Governor; prescribing bonds to be furnished by members of the Board of Directors of said Corporation, and the salaries to be paid said members; authorizing said Corporation to transfer its rights and property to the United States of America under certain conditions; and repealing conflicting laws.

Have examined the same and find same correctly enrolled. The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,
S. W. ANDERSON,
Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The bill contained in the above report was thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

INTRODUCTION OF RESOLUTIONS AND CONSIDERATION OF SENATE RESOLUTIONS

By Senator Gomez—

Senate Resolution No. 18:

WHEREAS we are rapidly approaching the last month of this session of the Legislature with the substantial recommendations of the Chief Executive not yet acted upon, and

WHEREAS, the people of our State are expecting this Legislature to solve pressing problems which are increasingly burdensome, and

WHEREAS, the Chief Executive, by special message delivered to the Joint Session of the Senate and House of Representatives on May 4, 1933, urged the passage of legislation dealing with appropriations, education, motor vehicle license tags, reduction of the Circuits and Circuit Judges, County officers, salary bill, homestead regulations, workmen's compensation Act, and the elimination of useless Board, Bureau and Commissions.

THEREFORE, BE IT RESOLVED, that it is the sense of the Senate that the consideration of all legislation of a general kind be dispensed with until the enumerated items set forth in the Governor's message and mentioned in this Resolution are passed upon.

This Resolution to become effective as of Monday, May 8th, 1933.

Which was read the first time in full.

Senator Anderson moved that Senate Resolution No. 18 be referred to the Committee on Rules and Procedure.

Which was agreed to.

And it was so ordered.

By Committee on Agriculture and Live Stock—

Senate Concurrent Resolution No. 13:

WHEREAS, the President of the United States, Franklin D. Roosevelt, is seeking by every feasible means to hasten the economic recovery of the Nation, and

WHEREAS, he is now engaged in fostering ways and means for the restoration of our depleted agriculture and is deserv-

ing of the united support and assistance of all patriotic Americans, and

WHEREAS, there has been brought to the attention of this body the possibilities of the development of the production of industrial alcohol to be used with gasoline as a motor fuel adjunct, and

WHEREAS, the United States Bureau of Industrial Alcohol under the Treasury Department at Washington, through the Honorable Dr. James M. Doran, Commissioner of Industrial Alcohol, has delegated a representative who is now in Florida collecting information upon which will be based decision as to the location of a manufacturing plant for the production of industrial alcohol, therefore

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING,

That this body, appreciating the opportunity for economic gain which would result from the operation of an industrial alcohol plant in this State, does hereby pledge both its friendly interest and active cooperation in the matter of bringing to Florida a plant for the production of industrial alcohol.

Be it further resolved that we call upon the Commissioner of Agriculture, the State Chamber of Commerce and the various fact-finding agencies of the State, to collect and place at the disposal of the United States Bureau of Industrial Alcohol at Washington, D. C., all available data showing the actual and potential production in this State of those crops best suited to the manufacture of industrial alcohol, together with information as to available tonnage, transportation facilities and costs, and all other information which the Bureau of Industrial Alcohol may see fit to request.

Which was read the first time in full.

Senator Harrison moved that the rules be waived and Senate Concurrent Resolution No. 13 be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 13 was read a second time in full.

The question was put on the adoption of the Resolution.

Which was agreed to.

And Senate Concurrent Resolution No. 13 was adopted.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Raulerson (By Request)—

Senate Bill No. 482:

A bill to be entitled An Act relating to loans and to amend Section 19 of Chapter 10177, Laws of Florida, Acts of 1925, entitled "An Act to license and regulate the business of making loans in certain counties in sums of three hundred (\$300.00) dollars or less, secured or unsecured, at a greater rate of interest than ten per centum per annum; prescribing the rate of interest and charge therefor, and penalties for the violation thereof, and regulating the assignment of wages or salaries, earned or to be earned when given as security for any such loan," being Section 4016, Compiled General Laws of Florida, 1927.

Which was read the first time by its title only and referred to the Committee on Banking.

By Senator Black—

Senate Bill No. 483:

A bill to be entitled An Act granting a pension to A. H. Hogans, Sr., of the County of Hamilton, State of Florida.

Which was read the first time by its title only and referred to the Committee on Pensions.

By Senator Black—

Senate Bill No. 484:

A bill to be entitled An Act granting a pension to Mrs. A. J. Ireland of Hamilton County, Florida.

Which was read the first time by its title only and referred to the Committee on Pensions.

By Senator Watson—

Senate Bill No. 485:

A bill to be entitled An Act to amend "An Act to abolish the present municipal government of the City of Coral Gables, Dade County, Florida, and create, establish and organize a municipality to be known and designated as the City of Coral Gables, and to define its territorial boundaries, and to provide for taxes, government, jurisdiction, powers and privileges," approved May 8th, 1929.

Which was read the first time by its title only.

Senator Watson moved that the rules be waived and Senate Bill No. 485 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 485 was read a second time by title only.

Senator Watson moved that the rules be further waived and Senate Bill No. 485 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 485 was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Anderson, Andrews, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gillis, Gomez, Hale, Harrison, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Rose, Shelley, Shivers, Sikes, Turner, Watson, Whitaker—35.

Nays—None.

So the bill passed title as stated, and the action of the Senate was ordered immediately certified to the House of Representatives, the rule being waived.

By Senator Gomez—

Senate Bill No. 486:

A bill to be entitled An Act to amend Section 7418 of the Compiled General Laws of Florida, 1927, relating to the destruction or injury of telegraph lines.

Which was read the first time by its title only and referred to the Committee on Judiciary "B".

By Senator Shivers—

Senate Bill No. 487:

A bill to be entitled An Act to declare, designate and establish as a State Road that certain road extending from the City of Chipley, in Washington County, Florida, in a southwesterly direction to the municipality of Vernon, in Washington County, Florida.

Which was read the first time by its title only and referred to the Committee on Public Roads and Highways.

By Senator Black—

Senate Bill No. 488:

A bill to be entitled An Act to prohibit the use of steel traps for trapping purposes in Hamilton County, Florida, and placing penalties for the violation of this Act.

Which was read the first time by its title only and placed on the Calendar of Local Bills on second reading.

By Senator Black—

Senate Bill No. 489:

A bill to be entitled An Act to declare, designate and establish a certain State Road.

Which was read the first time by its title only and referred to the Committee on Public Roads and Highways.

By Senator Parrish—

Senate Bill No. 490:

A bill to be entitled An Act to repeal Chapter 12219, Acts of the Legislature of 1927, Laws of Florida, the same being an Act to amend Section 4633 of the Revised General Statutes of the State of Florida, relating to the power of the Railroad Commission to require delivery by shortest and most available route.

Which was read the first time by its title only and referred to the Committee on Miscellaneous Legislation.

By Senator Getzen—

Senate Bill No. 491:

A bill to be entitled An Act empowering the Judges of the several Courts of the State of Florida with authority to postpone the foreclosure of mortgages, or the enforcement of specific liens in any action before said courts, and investing certain powers and authority in the Judges of the several Courts of the State of Florida.

Which was read the first time by its title only and referred to the Committee on Judiciary "B".

By Committee on Organized Labor—

Senate Bill No. 492:

A bill to be entitled An Act to provide compensation for employees for disability or death resulting from an injury arising out of and in the course of employment, and for other purposes.

Which was read the first time by its title only and placed on the Calendar of Bills on second reading without reference.

By Senator Caro—

Senate Joint Resolution No. 493:

A Joint Resolution proposing an amendment to Article 10 of the Constitution of the State of Florida by adding thereto an additional section to be known as "Section 7" relating to homestead and exemptions.

22—S. B.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following amendment to Article 10 of the Constitution of the State of Florida relating to homestead and exemptions, by adding thereto an additional Section to be known as "Section 7" providing that no assessment for any State or County or municipal taxation shall be levied upon the homestead, be and the same is hereby agreed to and shall be submitted to the qualified electors of the State of Florida for ratification or rejection in the general election to be held on the first Tuesday after the first Monday in November, A. D. 1934, that is to say, there shall be added to Article 10 of the Constitution of the State of Florida relating to homestead and exemptions, an additional Section to be known as "Section 7" of said Article, which shall read as follows:

Section 7. No assessment for State, County and municipal taxes shall be levied by the State of Florida, or under its authority, upon the homestead of any person who is an actual citizen and resident of the State of Florida, and residing therein ordinarily for nine months of the year when such homestead herein defined is actually used for home purposes, and no other purpose, to the extent and amount of Five Thousand (\$5,000.00) Dollars of the market value of the homestead, after such citizen and resident files with the Tax Collector collecting taxes for the State and County in the County in which such homestead is located, a proper description of the property so claimed to the amount of Five Thousand (\$5,000.00) Dollars of its market value as exempt and as heretofore defined by Article 10.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senator Caro—

Senate Joint Resolution No. 494:

A Joint Resolution proposing an amendment to Article XII of the Constitution of the State of Florida by adding thereto an additional section to be known as "Section 18" relating to a general sales tax for the support and maintenance of Public Free Schools.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following amendment to Article XII of the Constitution of the State of Florida relating to Education, by adding thereto an additional section to be known as "Section 18" providing that the Legislature may provide for a general sales tax to not exceed three per centum the proceeds thereof to be used and applied to the support and maintenance of Public Free Schools of the State of Florida, be, and the same is hereby agreed to and shall be submitted to the qualified electors of the State of Florida for ratification or rejection at the general election to be held on the first Tuesday after the first Monday in November A. D. 1934, that is to say there shall be added to Article XII of the Constitution of the State of Florida relating to Education, an additional section to be known as "Section 18" of said Article, which shall read as follows:

Section 18. The Legislature may provide and impose a general sales tax not to exceed three per centum and the proceeds derived from such sales tax shall be exclusively applied to the support and maintenance of Public Free Schools of the State of Florida.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senator Bass (By Request)—

Senate Bill No. 495:

A bill to be entitled An Act to cancel all tax sales certificates issued in the year 1923 and all prior years and now owned by the State of Florida.

Which was read the first time by its title only and referred to the Committee on Finance and Taxation.

By Senator Caro—

Senate Bill No. 496:

A bill to be entitled An Act fixing the fees to be charged by the Justices of the Peace of the several Justices of the Peace Districts situated in the several counties of the State of Florida, in criminal cases, and to amend Chapter 3384 of the Revised General Statutes of Florida of 1920, being Section 5237 of the Compiled General Laws of Florida of 1927.

Which was read the first time by its title only and referred to the Committee on Judiciary "A".

By Senator Caro—
Senate Bill No. 497:

A bill to be entitled An Act fixing the fees to be charged by the Constables of the several Justice of the Peace districts situated in the several counties of the State of Florida, in criminal cases, and to amend Chapter 14673, Acts of 1931, Laws of Florida, entitled: "An Act to amend Chapter 2899 of the Revised General Statutes of Florida of 1920, being Section 4597 of the Compiled General Laws of Florida of 1927 relating to the fees and compensation of Constables."

Which was read the first time by its title only and referred to the Committee on Judiciary "A".

By Committee on Judiciary "B"—
Senate Bill No. 498:

A bill to be entitled An Act relating to and providing for the regulation of distributors of motor fuel and other persons, for the purpose of providing for the strict enforcement of the motor fuel tax laws of Florida; regulating distributors of motor fuels, including counties, municipalities and other political subdivisions; defining and providing for the licensing of distributors of motor fuel and for the posting of bond with the Comptroller by distributors, granting power to the Comptroller to cancel distributors' bonds under certain circumstances and to require additional bonds to be posted in certain cases; providing for the cancellation of distributors' licenses in certain cases; giving authority to Comptroller to estimate motor fuel taxes due and for bringing of suit for recovery of delinquent motor fuel taxes; requiring certain reports from persons not defined as distributors; requiring certain reports to be filed by persons transporting motor fuel and like products under certain circumstances; providing for retention of certain records by distributors and other persons dealing in motor fuels; providing for inspection of certain records by Comptroller and the holding of certain hearings; providing that delinquent motor fuel taxes shall constitute liens in certain cases and the procedure for foreclosure of such liens; setting up requirements to be followed in event of discontinuance or transfer of business of distributors; setting up regulations to be followed in transportation of motor fuel; prohibiting unloading of motor fuel in certain cases between certain hours; providing for forfeiture of vehicles, boats and equipment illegally transporting motor fuel for purposes of evading or avoiding payment of motor fuel taxes; providing for restraining and enjoining persons in certain cases from selling, consuming, using, distributing and/or transporting certain motor fuel; providing for the enforcement of this Act and penalties for violations of its provisions; providing for posting of price of motor fuel plus tax; providing for appeals from Comptroller's decisions; providing for issuance of warrant by Comptroller to collect delinquent motor fuel taxes; granting authority to Comptroller and Deputies to make arrests, seize property and execute warrants.

Which was read the first time by its title only and placed on the Calendar of Bills on second reading without reference.

By Senator Gary—
Senate Bill No. 499:

A bill to be entitled An Act for the relief of B. R. Ansley and Dora Ansley, and providing an appropriation to compensate them for the loss of their son, Cecil Ansley, who died from burns inflicted upon him by other inmates of the Florida Industrial School for Boys, at Marianna, Florida.

Which was read the first time by its title only and referred to the Committee on Claims.

By Senators Chowning and Clarke—
Senate Bill No. 500:

A bill to be entitled An Act relating to the issuance of certificates, policies, contracts or memberships by persons, firms, corporations, societies, insurance companies, fraternal organizations, mutual benefit associations or other associations providing for death benefits; providing that such death benefits shall consist of and be payable in lawful money only; prohibiting the issuance of certificates, policies, contracts or memberships obligating the beneficiary thereunder, or anyone else, to purchase burial materials and supplies, or funeral services from any specified or designated person, firm, corporation, undertaker, undertaking concern, tradesman or business man; making it unlawful to violate the provisions of this Act, and fixing a penalty for each violation thereof.

Which was read the first time by its title only and referred to the Committee on Insurance.

By Senator Parker—
Senate Bill No. 501:

A bill to be entitled An Act to amend Section 8101, Compiled General Laws of Florida, 1927, relating to inspectors of naval stores, and providing a penalty for the violation thereof.

Which was read the first time by its title only.

Senator Parker moved that the rules be waived and Senate Bill No. 501 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 501 was read a second time by title only.

Senator Parker moved that the rules be further waived and Senate Bill No. 501 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 501 was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Anderson, Andrews, Bass, Beacham, Black, Chowning, Clarke, Dell, Gary, Gillis, Gomez, Harrison, Hodges, Holland, Larson, Lundy, Parker, Parrish, Rose, Shelley, Shivers Sikes, Turner, Watson Whitaker—27.

Nays—None

So the bill passed title as state, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Beacham—
Senate Bill No. 502:

A bill to be entitled An Act validating the settlement made between the Town of Deerfield and Boca Ratone Company and releasing and excluding certain lands involved in said settlement from the corporate limits of the Town of Deerfield and from all taxes and assessments of said town.

Which was read the first time by its title only.

Senator Beacham moved that the rules be waived and Senate Bill No. 502 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 502 was read a second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 502 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 502 was read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Anderson, Andrews, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gillis, Gomez, Hale, Harrison, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Rose, Shelley, Shivers, Sikes, Turner, Watson, Whitaker—35.

Nays—None.

So the bill passed title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Beacham—
Senate Bill No. 503:

A bill to be entitled An Act to amend the Act creating the City of Pompano, in Broward County, Florida, being Chapter 13324 of the Laws of Florida; to define and establish the corporate limits of said City and to exclude certain territory from said City; preserving the liens for taxes and public improvements in favor of the City in the territory excluded; and providing for a referendum.

Which was read the first time by its title only and placed on the Calendar of Local Bills on second reading.

By Senator Beacham—
Senate Bill No. 504:

A bill to be entitled An Act to authorize and empower the City of Pompano through its city council, to sell and/or compromise and adjust, any and all taxes, assessments, liens for local improvements, and any and all interest and penalties thereon levied and/or assessed, either for cash, city bonds or other obligations; and to provide for advertisement for sale of delinquent taxes.

Which was read the first time by its title only and placed on the Calendar of Local Bills on second reading.

By Senator Murphy—
Senate Bill No. 505:

A bill to be entitled An Act to designate and establish a State Road in Hardee County, Florida.

Which was read the first time by its title only and referred to the Committee on Public Roads and Highways.

By Senators Larson and Lewis—
Senate Bill No. 506:

A bill to be entitled An Act appropriating for the two years beginning January 1, 1934, five-sixths of the "first gas tax" fund in the "State Road License Fund," created by Chapter 15659, Acts of 1931, to the County School Fund in the State Treasury.

Which was read the first time by its title only and referred to the Committee on Appropriations.

By Senators Larson and Lewis—
Senate Bill No. 507:

A bill to be entitled An Act appropriating all funds derived through or under Senate Bill No. 427, Acts of 1933, to the "State Road License Fund," created by Chapter 15659, Acts of 1931, to be used by the State Road Department.

Which was read the first time by its title only and referred to the Committee on Appropriations.

By Senators Larson and Lewis—
Senate Bill No. 508:

A bill to be entitled An Act appropriating the proceeds of all funds derived from the sale of motor license tags to the "State Road License Fund," created by Chapter 15659, Acts of 1931, to be used by the State Road Department.

Which was read the first time by its title only and referred to the Committee on Appropriations.

By Senator Clarke—
Senate Bill No. 509:

A bill to be entitled An Act amending Section 7 of Chapter 10123, Laws of Florida, Acts of 1925, relating to the protection and regulation of the salt water fishing industry in the State of Florida.

Which was read the first time by its title only and referred to the Committee on Game and Fisheries.

By Senator Beacham—
Senate Bill No. 510:

A bill to be entitled An Act relating to the rate of wages to be paid laborers and mechanics employed in production of manufactured goods produced within the State under contract for the State of Florida.

Which was read the first time by its title only and referred to the Committee on Organized Labor.

Senator Getzen moved that Senate Bill No. 295, as enrolled, be recalled from the Governor's office.

Which was agreed to.
And it was so ordered.

The following communications from the Governor were received:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE
May 8, 1933

Honorable T. G. Futch,
President of the Senate.
Tallahassee, Florida.

Sir:

I have the honor to inform you that on May 5, 1933, I approved the following Act which originated in your Honorable Body and have caused the same to be filed in the office of the Secretary of State:

Committee Substitute for Senate Bill No. 350 relating to insurance companies.

Very respectfully,

DAVE SHOLTZ,
Governor.

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE
May 8, 1933

Honorable T. G. Futch,
President of the Senate.
Tallahassee, Florida.

Sir:

I have the honor to inform you that I have today approved the following Acts which originated in your Honorable Body and have caused the same to be filed in the office of the Secretary of State:

Senate Joint Committee Substitute No. 114 relating to intoxicating liquors and beverages.

Senate Joint Committee Substitute No. 151 relating to alcoholic content of intoxicating liquors and beverages.

Senate Bill No. 361 relating to proof of alcoholic content intoxicating liquors and beverages.

Senate Bill No. 427 relating to manufacture, etc., of malt and vinous beverages.

Respectfully yours,

DAVE SHOLTZ,
Governor.

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE
May 8, 1933

Hon. T. G. Futch,
President of the Senate.
Tallahassee, Florida.

Sir:

Complying with the request of the Senate I am herewith returning Senate Bill No. 295, it being identical with Senate Bill No. 224 which has already become a law.

Very respectfully,

DAVE SHOLTZ,
Governor.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was received and read:

Tallahassee, Fla., May 5, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

House Bill No. 297:

A bill to be entitled An Act to encourage and secure the construction of a toll tunnel under the deep waters and ship channel of Tampa Bay, and causeways, concrete trestles, bridges, fills and approaches, over, across and upon the shallow waters of Tampa Bay, and to grant to the West Coast Bridge and Tunnel Company, a corporation its successors and assigns the franchise and right to build, maintain and operate the same, as well as to grant to the said West Coast Bridge and Tunnel Company, a corporation, its successors and assigns, a right-of-way one quarter mile in width over, across, under and upon the waters of Tampa Bay, and over, across and upon the submerged lands and other lands belonging to the State of Florida, in, upon or adjacent to the waters of Tampa Bay, Florida; and to authorize the filling in and excavation of the same for the use in the construction, maintenance and operation of said toll tunnel and causeways, concrete trestles, bridges, fills and approaches, and granting to the said West Coast Bridge and Tunnel Company, a corporation, its successors and assigns the right of eminent domain, the right-of-way over, across and upon the submerged lands of the State of Florida and the title to all such lands when located, filled in and improved as provided by this act, and the right to purchase other lands together with the right to sell, pledge and mortgage same and the franchise, rights and privileges granted in this Act, and granting to the said West Coast Bridge and Tunnel Company, a corporation, its successors and assigns the right to maintain and operate said toll tunnel, bridges and causeways, concrete trestles, fills and approaches for the use of the passage of persons, animals and vehicles and the right to charge reasonable tolls for the use of same to be fixed by the Railroad Commission of the State of Florida, said right-of-way extending from a point in Pinellas County, across Hillsborough County, to a point in Manatee County, Florida, and provides the manner of determination of the franchise rights and the reverting of said franchise rights and property to the State of Florida.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,
Chief Clerk House of Representatives.

House Bill No. 297, contained in the above Message, was read the first time by its title only.

Senator Whitaker moved that the rules be waived and House Bill No. 297 be referred to the Committee on Commerce and Navigation and the Committee on Judiciary "A", jointly. Which was agreed to by a two-thirds vote. And it was so ordered.

Also—

The following Message from the House of Representatives was received and read:

Tallahassee, Fla., May 8, 1933.

Hon. T. G. Futch,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Mr. Westbrook of Lake—
House Bill No. 424:

A bill to be entitled An Act to amend Section 1528 of the General Statutes of 1920, being Section 2306, Compiled General Laws of 1927, relative to estimate of expenses to be prepared by Commissioners prior to the making of the annual tax levy.

Also has passed—

By Mr. Dixon of Jackson—
House Bill No. 121:

A bill to be entitled An Act fixing residential qualifications of persons employed to work for the state and counties, and making punishable a violation thereof.

Also has passed—

By Mr. Knight of Polk—
House Bill No. 112:

A bill to be entitled An Act relating to the University of Florida and the Florida State College for Women, and other State institutions of higher learning; to repeal Chapter 9134, Laws of Florida, Acts of 1932, and Chapter 12261, Laws of Florida, Acts of 1927, being Sections 769 to 774 inclusive, Compiled General Laws of Florida, 1927, both of said Acts relating to scholarships at the University of Florida and the Florida State College for Women, and providing that no scholarship heretofore awarded shall be affected until the expiration thereof and these scholarships shall be renewable as now provided by law.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bill No. 424, contained in the above Message, was read the first time by its title only and referred to the Committee on Finance and Taxation.

House Bill No. 121, contained in the above Message, was read the first time by its title only and referred to the Committee on Judiciary "B"

House Bill No. 112, contained in the above Message, was read the first time by its title only and referred to the Committee on Education.

The motion made by Senator Holland to reconsider the vote by which Senate Bill No. 140 passed the Senate, was taken up in its order and the consideration of same was informally passed.

CONSIDERATION OF SENATE BILLS ON THIRD READING

Senate Bill No. 68 was taken up in its order and the consideration of same was informally passed.

Senator Chowning moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 139 out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 139:

A bill to be entitled An Act to amend Section 5058 Revised General Statutes, being Section 7160 Compiled General Laws of Florida, 1927, relating to kidnapping and punishment therefor.

Was taken up out of its order and read a second time in full.

The Committee on Judiciary "B" offered the following amendment to Senate Bill No. 139:

In Section 1, original (typewritten bill), in the last line of said section, strike out the word "punishable" and insert in lieu thereof the word "punished."

Senator Chowning moved the adoption of the amendment. Which was agreed to.

And the amendment was adopted.

Senator Chowning moved that the rules be further waived and Senate Bill No. 139, as amended, be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 139, as amended, was read a third time in full.

Upon the passage of the bill, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Anderson, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Gillis, Gomez, Hale, Harrison, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Rose, Shelley, Shivers, Sikes, Turner, Watson, Whitaker—33.

Nays—None.

So the bill passed, as amended, title as stated.

And Senate Bill No. 139 was ordered referred to the Committee on Engrossed Bills.

By unanimous consent Senator Clarke withdrew Senate Bill No. 281.

Senate Bill No. 133:

A bill to be entitled An Act providing for the payment of premium on bonds of officers and employees of the State and Counties by the State or Counties.

Was taken up in its order and read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Butler, Chowning, Clarke, Dell, Gary, Getzen, Gillis, Gomez, Hale, Hodges, Holland, Larson, Lewis, Lundy, Mann, Murphy, Parrish, Rose, Sikes, Turner, Watson, Whitaker—23.

Nays—Senators Anderson, Andrews, Bass, Beacham, Black, Caro, English, Harrison, MacWilliams, Parker, Shelley, Shivers,—12.

So the bill passed title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Butler moved that the rules be waived and the Senate do now take up the consideration of Senate Joint Resolution No. 99 out of its order.

Which was not agreed to.

Senate Bill No. 170 was taken up in its order and the consideration of same was informally passed.

Senate Bill No. 73:

A bill to be entitled An Act relating to the exchange of the bonds, coupons, and interest thereon, of any County, City, Town or other taxing district, for past due taxes and special assessments, penalties and interest; to provide for the cancellation of said obligations, and regulations under which said exchange may be made; and to provide remedies for any person aggrieved thereby.

Was taken up in its order and read a third time in full.

By unanimous consent Senator Rose offered the following amendment to Senate Bill No. 73:

In Section 1, line 7 (typewritten bill), add the following: Provided, that this Act shall not be so construed as to permit the exchange of bonds for State taxes, which taxes shall be paid in cash at the time of redemption from County or school taxes or tax certificates.

Senator Rose moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Upon the passage of the bill, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Anderson, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gillis, Gomez, Hale, Harrison, Hodges, Holland, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Rose, Shelley, Shivers, Sikes, Turner, Watson, Whitaker—32.

Nays—None.

So the bill passed, as amended, title as stated.

And Senate Bill No. 73 was ordered referred to the Committee on Engrossed Bills.

Senate Joint Resolution No. 69 and Senate Bill No. 15 were taken up in their order and the consideration of same was informally passed.

Committee Substitute for Senate Bill No. 15 was taken up in its order and the consideration of same was informally passed.

Senate Bill No. 266:

A bill to be entitled An Act relating to the tenure of employment of public school teachers in the State of Florida.

Was taken up in its order and read a third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Senators Andrews, Black, Butler, Caro, Chowning, Dell, Gary, Getzen, Gomez Harrison, Holland, Lewis, Parrish, Watson, Whitaker—15.

Nays—Mr. President; Senators Anderson, Bass, Beacham, Clarke, English, Gillis, Hale, Hodges, Lundy, MacWilliams, Mann, Murphy, Parker, Rose, Shelley, Shivers Turner—18.

So the bill failed to pass.

Senator Whitaker moved that the Senate reconsider the vote by which Senate Bill No. 133 passed the Senate.

And the same went over under the rule.

Senator Gillis moved that the rules be waived and the Senate do now take up the consideration of Committee Substitute for Senate Bill No. 15 out of its order.

Which was agreed to by a two-thirds vote.

And—

Committee Substitute for Senate Bill No. 15:

A bill to be entitled An Act to fix the annual salaries of certain State officers and employees, and repealing Chapter 15720, Laws of Florida, Acts of 1931, relating to same subject.

Was taken up out of its order and read a third time in full.

Upon the passage of the bill the roll was called and the vote was.

Yeas—Senators Andrews, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, English, Gary, Gillis, Hale, Harrison, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Rose, Shelley, Shivers, Sikes, Turner, Watson, Whitaker—29.

Nays—Mr. President; Senators Anderson, Dell, Hodges—4.

So the bill passed title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 279:

A bill to be entitled An Act requiring the State Road Department to erect and maintain markers and signs for the historical points of interest in the State.

Was taken up in its order and read a third time in full.

By unanimous consent Senator Shivers offered the following amendment to Senate Bill No. 279:

In Section 1, line 4, (typewritten bill,) add the following sentence after the period. "Said historical points shall be designated and approved by the Daughters of the Revolution, United Daughters of the Revolution, United Daughters of the Confederacy or American Legion Auxiliary."

Senator Shivers moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Upon the passage of the bill, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Anderson, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, Gary, Getzen, Gillis, Hale, Harrison, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parrish, Rose, Shelley, Shivers, Sikes, Turner, Watson, Whitaker—31.

Nays—Senators Andrews, English—2.

So the bill passed, as amended, title as stated.

And Senate Bill No. 279 was ordered referred to the Committee on Engrossed Bills.

Senator Whitaker moved that the rules be waived and the Senate do now take up the consideration of House Bills on the Calendar of Bills on second reading.

Which was agreed to by a two-thirds vote.

House Bill No. 140 was taken up in its order and the consideration of same was informally passed.

House Bill No. 209:

A bill to be entitled An Act relating to the deposit of moneys paid into the several courts of this State, and the withdrawal thereof.

Was taken up in its order and read a second time in full.

Senator Butler moved that the rules be waived and House Bill No. 209 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 209 was read a third time in full.

Pending roll call, Senator Butler moved that the rules be waived and the further consideration of House Bill No. 209 be informally passed and the bill retain its place on the Calendar of Bills on third reading.

Which was agreed to by a two-thirds vote.

And it was so ordered.

Senator Parrish moved that a committee of three be appointed to escort General Charles P. Sumerall, U. S. A., retired to a seat on the rostrum of the Senate.

Which was agreed to.

And the Chair appointed Senators Parrish, MacWilliams and Butler as the Committee.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 5:32 o'clock P. M. until 10:30 o'clock A. M. Tuesday, May 9, 1933.